IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE K.C. BHANU

TAKEN UP WRIT PETITION NO : 11763 of 2005

Between:

Kalisetty Yesu Babu, S/o.Siva Sankara Rao,
/o.Konetipuram of Kolakaluru Village, Tenali Mandal, Guntur District, Presently Residing in Vijayawada, Krishna District.

..... PETITIONER

AND

1 The Sub- Inspector of Police, Tenali Police Station, Tenali, Guntur

District.
2 The Superintendent of Police, Guntur District at Guntur.
3 The Director- General Of Police, Govt of A.P., Hyderabad.
4 The Secretary to the Govt of A.P., Home (Police) Department

Secretaraiat, Hyderabad.
5 The Collector and District Magistrate, Guntur District at Guntur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an Order, direction, or a writ, more particularly one in the nature of Writ of Mandamus to call for the records and remarks from the Respondents herein relating to (i) illegal detention and third degree torture of the father of the Petitioner herein, Viz., Siva Sankara Rao, in Tenali Police Station by its Sub-Inspector of Police since 13-04-2005, (ii) insisting the mother, Viz., Kalisetty Siva Parvathy, and sister of the

Petitioner herein, by the Sub-Inspector of Police, Tenali, Guntur District, to produce the Petitioner herein and his brother in Tenali Police Station by its Sub-Inspector of Police and calling the mother and sister of the Petitioner herein, as "Lanza" by the Sub-Inspector of Police in front of his staff, (iii) raiding the house and destroying the salt packets worth Rs. 5,000/- of the Petitioner herein by the Sub-Inspector of Police, Tenali Police Station, accompanied by rowdy elements, Viz., (1) Gotte Nagaiah, S/o. Panulu, (2) Dhulipudi Purnachandra Rao, S/o. Gangaiah, (3) Kolasani Ramesh, S/o. Narasimha Rao, (4) Baddula Srinivasa Rao, S/o. Anjaaiah, R/o. Konetipuram of Kolakaluru Village, and intimidating the Petitioner herein and his family members causing the loss of their jobs, (iv) non-release of the father of the Petitioner herein in spite of the directions of the Member of Legislative Assembly, Duggirala Constituency, Tenali Mandal Revenue Officer, Circle Inspector of Police, Tenali Rural Circle, on moving an Application before them in "Praja Padam Karya Kramam" on 09-05-2005, where the Sub-Inspector of Police, Tenali Police Station, was also present there, and hence this Hon'ble Court is requested to pass appropriate orders directing the concerned authorities to take action against the Sub-Inspector of Police, Tenali Police Station, Guntur District for his high handed conduct and his accompanying rowdy elements and protect the Petitioner herein and his family members, and grant appropriate reliefs for the loss of employments by the Petitioner herein and his family members and mental and physical torture to them and to the Petitioner's father by the Sub-Inspector of Police, Tenali Police Station, and inform the action by this Hon'ble Court to the Petitioner's mother, Viz., Kalisetty Parvathy, W/o. Siva Sankara Rao, and to pass such other or further orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner:PETITION

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court at the stage of admission made the following :

O R D E R (Per the Hon'ble Sri Bilal Nazki, ACJ):

In the counter affidavit, it is stated that the alleged detenu has not been arrested and is not in the custody of the police. As such, no further orders are necessary to be passed in the writ petition, which is accordingly dismissed. No order as to costs.

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(Bilal Nazki, ACJ)

16th June, 2005

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(K.C.Bhanu,J)

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To

1 The Sub- Inspector of Police, Tenali Police Station, Tenali, Guntur District.

2 The Superintendent of Police, Guntur District at Guntur.

3 The Director- General Of Police, Govt of A.P., Hyderabad.
4 The Secretary to the Govt of A.P., Home (Police) Department

Secretaraiat, Hyderabad.
5 The Collector and District Magistrate, Guntur District at Guntur.

6 Two C.Cs to the Advocate-General, High Court Buildings, A.P.,

Hyderabad (OUT)

6 The Section Officer, PIL Cell, High Court Buildings, A.P.,

Hyderabad.

7 The Secretary, A.P. State Legal Advisory Board, High Court

Buildings, A.P., Hyderabad

8 The Secretary to Government, Home Department, Secretariat,

Hyderabad.

9 Two C.D copies.